

## CHAPTER Env-A 400 ACID DEPOSITION CONTROL PROGRAM

Statutory Authority: RSA 125-D:3

**Readopt with amendments Env-A 401.01 through Env-A 406.02, effective 3-5-97 (Doc. #6469-B), to read as follows:**

### PART Env-A 401 PURPOSE ***AND SCOPE***

Env-A 401.01 Purpose. The purpose of this chapter is to reduce the adverse effects of acid deposition on ecosystems and public health by reducing sulfur dioxide (***SO<sub>2</sub>***) emissions from sulfur-emitting sources within New Hampshire pursuant to RSA 125-D:3.

### ~~PART Env-A 402 SCOPE~~

Env-A ~~402.01~~***401.02*** Scope. This chapter shall apply to all sources ***in operation from 1979 to 1982 that emitted***~~with a baseline average emission rate of 100 tons or more of sulfur dioxide~~***SO<sub>2</sub>***~~per year.~~

### PART Env-A ~~403~~***402*** REQUIRED EMISSION REDUCTIONS FROM CLASS A MAJOR SOURCES

Env-A ~~403.01~~***402.01*** Limitations on Percentage of Baseline. Pursuant to RSA 125-D:3, I(b) annual ~~sulfur dioxide~~***SO<sub>2</sub>*** emissions from each Class A major source, except as provided by Env-A ~~405~~***4***.01, shall not exceed 75 percent (%) of such source's portion of the baseline emissions.

~~Env-A 403.02 Enforceability. The emission limits specified in Env-A 403.01, above, shall be enforced by permit conditions pursuant to Env-A 600.~~

### PART Env-A ~~404~~***403*** REQUIRED EMISSION REDUCTIONS FROM CLASS B MAJOR SOURCES

Env-A ~~404.01~~***403.01*** Limitations on Individual Sources. Pursuant to RSA 125-D:3, I(e) annual ~~sulfur dioxide~~***SO<sub>2</sub>*** emissions from each Class B major source, except as provided by Env-A ~~405~~***4***.02, shall have an average emission rate not to exceed 1.6 ~~pounds~~***lbs.*** of ~~sulfur dioxide~~***SO<sub>2</sub>*** per million BTU ***heat*** input, equivalent to no. 6 oil with 1.5 ~~percent~~***%*** sulfur by weight, which is 75 ~~percent~~***%*** of the baseline average emission rate for Class B major sources.

~~Env-A 404.02 Enforceability. The required emission rate limit specified in Env-A 404.01, above, shall be enforced by permit condition pursuant to Env-A 600.~~

Env-A ~~404.03~~***403.02*** Maximum Total Emissions. Pursuant to RSA 125-D:3, I(c), for each running 4-year period the combined ~~sulfur dioxide~~***SO<sub>2</sub>*** emissions from all class B major sources shall not exceed 75 ~~percent~~***%*** of their combined baseline ~~sulfur dioxide~~***SO<sub>2</sub>*** emissions.

~~Env-A 404.04 Division Responsibilities. The division shall verify compliance with the provisions of Env-A 404.03 by reviewing the reports required by this chapter.~~

### PART Env-A ~~405~~***404*** EMISSIONS FROM MULTIPLE SOURCES UNDER COMMON OWNERSHIP

Env-A ~~405.01~~**404.01** ~~Provisions for Class A Major Sources.~~ Pursuant to RSA 125-D:3, I(f)(1), ***the*** owners or operators of 2 or more sources under common ownership that are subject to the provisions of Env-A 4032 may combine the annual emissions of all such sources to demonstrate that the total annual emissions of such sources do not exceed 75-percent% of their baseline emissions for Class A major sources.

Env-A ~~405.02~~**404.02** ~~Provisions for Class B Major Sources.~~ Pursuant to RSA 125-D:3, I(f)(2), ***the*** owners or operators of applicable sources under common ownership that are subject to the provisions of Env-A 4043 may average the emission rates of all such sources on a BTU ***heat*** input basis to demonstrate compliance with the average emission rate for Class B major sources.

#### PART Env-A ~~406~~**405** RECORDKEEPING AND REPORTING REQUIREMENTS

Env-A ~~406.01~~**405.01** Recordkeeping Requirements. ~~All~~***The owner or operator of a*** sources subject to this chapter meeting the applicability criteria of Env-A 402**1.02** shall be subject to the recordkeeping requirements specified in Env-A ~~901~~**903.03**.

Env-A ~~406.02~~**405.02** Reporting Requirements. ~~All~~***The owner or operator of a*** sources subject to this chapter meeting the applicability criteria of Env-A 402**1.02** shall be subject to the reporting requirements specified in Env-A ~~901~~**907.02**.

### Appendix

Provision of the Proposed Rule	Specific State or Federal Statutes or Regulations which the Rule is Intended to Implement
Env-A 401 (existing Env-A 402.01 renumbered as Env-A 401.02)	RSA 125-D:1; RSA 125-D:3
Env-A 402 (existing Env-A 403 renumbered as Env-A 402)	RSA 125-D:3, I(b)
Env-A 403 (existing Env-A 404 renumbered as Env-A 403)	RSA 125-D:3, I(c) and I(e)
Env-A 404 (existing Env-A 405 renumbered as Env-A 404)	RSA 125-D:3, I(f)(1) and I(f)(2)
Env-A 405 (existing Env-A 406 renumbered as Env-A 405)	RSA 125-D:3, II(b); RSA 125-C:6, XI